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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/869,872	06/02/1997	CHRISTOPHER KEVIN BROWNELL	13237-1560	6264

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EXAMINER

RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 03/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/869,872

Applicant(s)

BROWNELL ET AL.

Examiner

Sam Rimell

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-48 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 26-48 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other:

SAM RIMELL
PRIMARY EXAMINER

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 47-48 are rejected under 35 U.S.C. 102(e) as being anticipated by Chancey et al. (US Patent 5,842,185).

Claim 47: Col. 4, line 64 through col. 5, line 13 outline method steps for changing a category name which is part of a payee name, as seen in FIG. 2. A data structure is created in the form of a lookup table that includes preferred names (names of merchant categories) and lookup names (SIC codes). When a financial statement is received, each merchant listed on each received line of data includes an SIC code for that merchant (col. 5, lines 1-4). The SIC code thus becomes the received name as well. The financial statement further includes additional data, such as the transaction amounts for each transaction entry. As recited in claim 47, the received name (SIC code) is used as the look up name in the look-up table to identify and match a preferred name (the merchant category name). Note that the merchant category name forms a part of the payee name, since it appears in the same column as the payee name.

Claim 48: The lookup names (SIC code) are in a pre-existing table which may include data and associations derived from previous financial statements, or user entered associations.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 26-28, 33-35 and 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chancey et al. ('185).

The reasons for this rejection were set forth in the office action of March 2, 2000, and are hereby incorporated by reference.

Claims 29-32, 36-39 and 43-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chancey et al. ('185) in view of Quicken 5 for Windows as evidenced by Cummings in the book Home Banking With Quicken.

The reasons for this rejection were set forth in the office action of March 2, 2000, and are hereby incorporated by reference.

Remarks

Claims 29-32, 36-39 and 43-46 as rejected under 35 USC 103 as being obvious in view of Chancey et al.:

With respect to Chancey et al., applicant argues that the system of Chancey et al. does not actually allow for a change of the payee name. However, col. 5, line 32 calls for the step of "change the payee", which is clearly referring to changes in the name of the payee, such as "The Hardware Store" or "Village Bookshop". Applicant also argues that Chancey et al. does not disclose the automatic replacement of a payee name in response to an association of the preferred payee name with the associated payee name. None of the independent claims contain this language, specify a "response to an association" or otherwise state that the change is triggered by a specific event. Accordingly, these arguments are moot.

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Claims 29-32, 36-39 and 43-46 under 35 USC 103 as being obvious in view of Chancey et al. ('185) in view of Quicken 5 for Windows as evidenced by Home Banking with Quicken. (Cummings):


Applicant argues that Chancey in view of Cummings does not disclose a reasonable expectation of success and does not teach or suggest all of the claim limitations. However, applicant does not provide any evidence or reasons as to why Chancey in view of Cummings would not have a reasonable expectation of success and does state which claim limitations are supposedly missing.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (703) 306-5626.



Sam Rimell
Primary Examiner
Art Unit 2175